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Will of Indiana Fletcher Williams

A Bill to Incorporate the Sweet Briar Institute

Reasons for Granting the Charter of the Sweet Briar Institute

Sweet Briar Institute
Amherst County
Virginia

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WILL OF INDIANA FLETCHER WILLIAMS.

I, INDIANA FLETCHER WILLIAMS, of the County of Amherst and State of Virginia, hereby make, publish and declare the following to be my last will and testament; hereby revoking all others heretofore made by me.

First. I give to my friend, Stephen R. Harding, residing in Amherst County, Virginia, the sum of five thousand dollars.

Second. I give to the Protestant Episcopal Church, known as the Ascension Church, at Amherst, Virginia, the sum of two thousand dollars.

Third. I give to Emma McCall, residing at New York City, State of New York, my large bronze group, with table, and my painting of the Bay of Naples.

Fourth. I give to Helena Mallory Mellersch, of Ashtead, Surrey, England, the sum of two thousand dollars, and the watch of Daisy Williams.

Fifth. I give to Harriet E. Leeds, now residing in New York City, New York, my painting of the head of Christ and my pearl carved ivory inlaid Japanese cabinet.

Sixth. I give to Charles N. McCall, residing in the City of New York, all of my stock in the Consolidated Gas Company, of the City of New York, State of New York.

Seventh. I give to my sister-in-law, Mrs. Emma McCall, residing in the City of New York, New York, all of my property whatsoever located in the State of West Virginia—to her and her heirs forever.

Eighth. I give to my cousin, Mary Lee Page, residing in the City of Richmond, Virginia, my plantation named "Mount St. Angelo," which consists of one thousand and fifty acres, and adjoins "Sweet Briar Plantation," situated about three miles south of Amherst Village, Amherst County, Virginia—to have and to

hold for and during her lifetime; and upon her death the said plantation shall fall into and become a part of my residuary estate, and I hereby give and devise the same as expressed in the following "Thirteenth" clause of this my will, upon the same trusts, for the same uses and subject to the same prohibition against the sale or alienation thereof as are therein declared with reference to my Sweet Briar Plantation.

NINTH. I give to Daisy Mary W. M. Maria Harding, residing in Amherst County, Virginia, my place called the Tanyard, situated at Amherst, Virginia, to her and her heirs forever.

TENTH. I give to Elizabeth Payne, of Amherst, Virginia, the sum of two thousand dollars.

ELEVENTH. I give to Lindsey Tinsley (colored) one hundred and fifty dollars.

TWELFTH. I give to Robert Rucker (colored) one hundred and fifty dollars.

THIRTEENTH. I give and devise all my plantation and tract of land known as Sweet Briar Plantation, situated in said Amherst County, Virginia, between the road leading from Amherst to Lynchburg and the road from Amherst to McIvors railroad station, together with everything on said plantation (except certain articles in my house already given), also all my land known as "The Smoky Hollow Place" and the adjoining lands on Paul's mountain, in said Amherst County, also my place known as the Halliday tract, containing about five hundred and eleven acres, situated in said Amherst County, also the two tracts of land devised to me by the will of my late brother, Sidney Fletcher, adjoining Sweet Briar Plantation, and now rented and occupied for the year 1899, by C. E. Carter and C. Dawson, also the twelve tracts of land located in Pedlar District, Amherst County, Virginia, devised to me by the will of my late brother, Sidney Fletcher, also my lot on Main Street in Lynchburg, Virginia, adjoining the Presbyterian Church, also my lot in Lynchburg on Diamond Hill, between Court and Clay Streets, containing two and a half acres, also all of my other real estate situated in the city of

Lynchburg, Virginia, devised to me by the will of my late brother, Sidney Fletcher, and also the rest and remainder of all my real and personal property (except that heretofore mentioned in this will), whatsoever and wheresoever it may be situated, unto the Right Reverend A. M. Randolph (who is the Bishop of the Southern Diocese of Virginia), the Reverend J. M. Carson, of Lynchburg, Virginia, Stephen R. Harding, of Amherst County, Virginia, and the Reverend Arthur P. Gray, of Amherst, Virginia, and the survivors or survivor of them, as Trustees upon the trusts and with the powers and duties hereinafter specified, that is to say :

1. I direct the said trustees forthwith after my decease, to procure the incorporation in the State of Virginia, of a corporation to be called the "Sweet Briar Institute," such corporation to be created by due process of law, either under the general laws relating to the formation of corporations or by a special charter to be obtained from the Legislature of the State of Virginia.

The said corporation shall be formed for the object and with the power of establishing and maintaining within the State of Virginia, a school or seminary for the education of white girls and young women, and shall be clothed with capacity to take by deed or will, by gift or purchase, and to hold real estate and personal property. Its affairs shall be managed by a board of seven (7) directors, who shall have the power to fill vacancies in their number, and the first board of directors shall be named and appointed by the trustees hereinabove named.

2. Immediately upon the formation and organization of such corporation, the said trustees shall grant and convey, and I hereby give and devise, the said real estate and personal property last above described to the said corporation, *to have and to hold* the same unto it, and its successors forever, upon the conditions and for the purposes hereinafter declared, which it shall accept and assume, namely : The said corporation shall with suitable dispatch establish and shall maintain and carry on upon the said plantation a school or seminary, to be known as the "Sweet Briar Institute," for the education of white girls and young women. It shall be the general scope and object of the school to impart to its students

such education in sound learning, and such physical, moral and religious training as shall in the judgment of the directors best fit them to be useful members of society. No part of the said Sweet Briar Plantation and the two tracts of land adjoining, now rented and occupied by C. E. Carter and C. Dawson for the year 1899, as above mentioned, shall at any time be sold or alienated by the corporation, but it shall have the power to lease or hire out such portions thereof as may not be directly needed for the occupation of the school and its surrounding grounds. The personal property herein given shall be kept inviolate as an endowment fund, which shall be invested and re-invested by the corporation, and of which the income only shall be used for the support and maintenance of the school, but the corporation shall have the power to expend a part of the principal in erecting and equipping such buildings and making such improvements upon the said plantation as the directors may deem expedient and proper for the use of the school. I desire that the school shall be made self-supporting, so far as practicable, but it is my hope that the board of directors may be able from the income placed at their disposal, to establish free scholarships, affording tuition and maintenance for a limited number of deserving students, which scholarships shall be awarded under such rules and regulations as the board may prescribe.

The foregoing devise and bequests are made upon the condition that the said corporation shall keep in repair and in good order the cemetery on Monument Hill forever.

This bequest, devise and foundation are made in fulfillment of my own desire, and of the especial request of my late husband, James Henry Williams, solemnly conveyed to me by his last will and testament, for the establishment of a perpetual memorial of our deceased daughter, Daisy Williams.

Fourteenth. I appoint my friend, Stephen R. Harding, of Amherst County, Virginia, the executor of this, my last will and testament, and desire that he shall not be required to give any bond or other security for the faithful performance of his duty as such executor.

In witness whereof, I have hereunto set my hand and seal this third day of April, in the year one thousand, eight hundred and ninety-nine.

(Signed) INDIANA FLETCHER WILLIAMS. [Seal.]

Signed, sealed, published and declared by the said testatrix, Indiana Fletcher Williams, to be her last will and testament, in the presence of us and each of us, who, at her request, in her presence, and in the presence of each other, have hereunto subscribed our names as witnesses this third day of April, 1899.

Eugene Smith,
No. 23 East 44th St., New York City, N. Y.

Leonard B. Smith,
No. 23 East 44th St., New York City, N. Y.

Virginia—At a County Court, continued by adjournment, and held for the County of Amherst, at the Court House thereof, on Friday, the 23rd day of November, 1900.

The last will and testament of Indiana Fletcher Williams, deceased, bearing date on the 3rd day of April, 1899, and contained on eight pages of paper, was this day produced in Court by Stephen R. Harding, the executor therein named, and offered for probate, and being proved by the oath of Leonard B. Smith, one of the subscribing witnesses thereto, who also proved the due attestation according to law of said will by Eugene Smith, another subscribing witness thereto, the same is admitted to probate and ordered to be recorded as the true last will and testament of said Indiana Fletcher Williams, deceased.

And on the motion of Stephen R. Harding, who is appointed by said will of Indiana Fletcher Williams, deceased, as executor thereof, and who made oath as required by law, and entered into and acknowledged a bond in the penalty of eight hundred thousand (800,000) dollars, conditioned according to law, without security—security being waived by the provisions of said will—

certificate is granted him for obtaining a probate of said will in due form. And it is ordered that said bond be recorded. And on the motion of the said executor the Court doth appoint George W. Dearborn, John J. Ambler, Sr., Beverley R. Harrison, F. F. Voorheis and Seldon Harrison, and Camillus C. Christian, Stephen Adams and J. T. Bowman, any three of whom may act, appraisers of the personal estate of said Indiana Fletcher Williams, deceased.

Teste: W. E. SANDIDGE, Clerk.

A copy—Teste:

W. E. SANDIDGE, Clerk.

See Acts 1901 (Extra Session) p. 125 -
approved Feb 9, 1901 -

A BILL TO INCORPORATE

—— THE ——

"Sweet Briar Institute,"

IN THE COUNTY OF AMHERST, VIRGINIA.

WHEREAS, INDIANA FLETCHER WILLIAMS, late of the county of Amherst, did, upon the 3d day of April, 1899, make and publish her last will and testament, which was duly admitted to probate in the County Court of Amherst County on the 23d day of November, 1900;

AND WHEREAS, the eighth and thirteenth clauses of her said will are in the following words and figures, to-wit:

> "EIGHTH. I give to my cousin, Mary Lee Page, residing in the City of Richmond, Virginia, my plantation named 'Mount St. Angelo,' which consists of one thousand and fifty acres, and adjoins 'Sweet Briar Plantation,' situated about three miles south of Amherst Village, Amherst County, Virginia—to have and to hold for and during her lifetime; and upon her death the said plantation shall fall into and become a part of my residuary estate; and I hereby give and devise the same as expressed in the following 'thirteenth' clause of this my will, upon the same trusts, for the same uses, and subject to the same prohibition against the sale or alienation thereof, as are therein declared with reference to my Sweet Briar Plantation.
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> . . . . . .
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> "THIRTEENTH. I give and devise all my plantation and tract of land known as Sweet Briar Plantation, situated in said Amherst County, Virginia, between the road leading from Amherst to Lynchburg and the road from Amherst to McIvors railroad station, together with everything on said plantation (except certain articles in my house already given); also all my land known as 'The Smoky Hollow Place,' and the adjoining lands on Paul's Mountain, in said Amherst

County; also my place known as the Halliday Tract, containing about five hundred and eleven acres, situated in said Amherst County; also the two tracts of land devised to me by the will of my late brother, Sidney Fletcher, adjoining Sweet Briar Plantation, and now rented and occupied for the year 1899 by C. E. Carter and C. Dawson; also the twelve tracts of land located in Pedlar District, Amherst County, Virginia, devised to me by the will of my late brother, Sidney Fletcher; also my lot on Main Street, in Lynchburg, Virginia, adjoining the Presbyterian Church; also my lot in Lynchburg on Diamond Hill, between Court and Clay Streets, containing two and a half acres; also all of my other real estate situated in the City of Lynchburg, Virginia, devised to me by the will of my late brother, Sidney Fletcher; and also the rest and remainder of all my real and personal property (except that heretofore mentioned in this will), whatsoever and wheresoever it may be situated, unto the Right Reverend A. M. Randolph (who is the Bishop of the Southern Diocese of Virginia), the Reverend J. M. Carson, of Lynchburg, Virginia, Stephen R. Harding, of Amherst County, Virginia, and the Reverend Arthur P. Gray, of Amherst, Virginia, and the survivors or survivor of them, as trustees upon the trusts and with the powers and duties hereinafter specified—that is to say:

"1. I direct the said trustees forthwith after my decease to procure the incorporation in the State of Virginia of a corporation to be called the 'Sweet Briar Institute,' such corporation to be created by due process of law, either under the general laws relating to the formation of corporations or by a special charter to be obtained from the Legislature of the State of Virginia.

"The said corporation shall be formed for the object and with the power of establishing and maintaining within the State of Virginia a school or seminary for the education of white girls and young women, and shall be clothed with capacity to take by deed or will, by gift or purchase, and to hold real estate and personal property. Its affairs shall be managed by a board of seven (7) directors, who shall have the power to fill vacancies in their number, and the first board of directors shall be named and appointed by the trustees hereinbefore named.

"2. Immediately upon the formation and organization of such corporation, the said trustees shall grant and convey,

and I hereby give and devise, the said real estate and personal property last above described to the said corporation, to have and to hold the same unto it and its successors forever, upon the conditions and for the purposes hereinafter declared, which it shall accept and assume, namely: The said corporation shall with suitable dispatch establish, and shall maintain and carry on upon the said plantation, a school or seminary to be known as the 'Sweet Briar Institute,' for the education of white girls and young women. It shall be the general scope and object of the school to impart to its students such education in sound learning, and such physical, moral and religious training as shall, in the judgment of the directors, best fit them to be useful members of society. No part of the said Sweet Briar Plantation and the two tracts of land adjoining, now rented and occupied by C. E. Carter and C. Dawson for the year 1899, as above mentioned, shall at any time be sold or alienated by the corporation, but it shall have the power to lease or hire out such portions thereof as may not be directly needed for the occupation of the school and its surrounding grounds. The personal property herein given shall be kept inviolate as an endowment fund, which shall be invested and reinvested by the corporation, and of which the income only shall be used for the support and maintenance of the school, but the corporation shall have the power to expend a part of the principal in erecting and equipping such buildings and making such improvements upon the said plantation as the directors may deem expedient and proper for the use of the school. I desire that the school shall be made self-supporting, so far as practicable, but it is my hope that the board of directors may be able, from the income placed at their disposal, to establish scholarships affording tuition and maintenance for a limited number of deserving students, which scholarships shall be awarded under such rules and regulations as the board may prescribe.

"The foregoing devise and bequests are made upon the condition that the said corporation shall keep in repair and in good order the cemetery on Monument Hill forever.

"This bequest, devise and foundation are made in fulfillment of my own desire, and of the especial request of my late husband, James Henry Williams, solemnly conveyed to me by his last will and testament, for the establishment of a perpetual memorial of our deceased daughter, Daisy Williams."

And whereas, the trustees named in the thirteenth clause of

the said will, in conformity with the desire of the testatrix expressed therein, desire that a corporation shall be created for the purpose of carrying out the expressed wishes and aims of the said Indiana Fletcher Williams as set forth in the said will;

And whereas, it is now deemed advisable by the General Assembly of Virginia to create such a corporation as is suggested in the said will, with power to receive and hold all of the property therein described and to accept the real and personal property therein devised and bequeathed, subject to the terms and conditions specifically prescribed in the said will;

Now, therefore—

1. Be it enacted by the General Assembly of the State of Virginia, that a corporation and body politic is hereby created, under the name and style of the Sweet Briar Institute, and by that name the said corporation shall have perpetual succession with all the powers and rights herein specifically granted, or which, under the general law of the State of Virginia, may pertain to corporations of a like character.

The said corporation shall further have power to sue and be sued by its corporate name; to adopt a common seal, which it may alter at its pleasure; to contract and be contracted with; to receive and hold property, both real and personal, or any other kind of property, by purchase, exchange, devise, gift, bequest, or by any other mode by which property may be acquired, and to sell or otherwise dispose of the same when the interest of the said corporation may require it and when its powers in that respect are not otherwise restricted.

2. That the said corporation shall be governed and controlled by a board of seven directors, who shall be appointed by the trustees named in the thirteenth clause of the will of said Indiana Fletcher Williams, or by a majority thereof.

The said board shall have the right upon the happening of any vacancy therein by death, resignation or otherwise, to elect a successor to fill such vacancy; and shall further have the right, by a vote of a majority of all of its members, and for cause, to remove

any of its members, and elect a successor to the person so removed. The board, so constituted, shall have under its control all the affairs of the said corporation, and from its own body shall have power to elect a president and vice-president, for such terms as it may think proper; and shall also have power to select all other officers and employees who, in its opinion, may be requisite to the conduct of the corporation herein created; to assign their duties, functions and obligations; fix their compensation and, when necessary, require of them proper official bonds to secure the faithful performance of their duties respectively. It shall also have the right to adopt by-laws, rules and regulations for its own deliberations, and for defining its powers and duties, and for regulating the conduct of the business of the corporation, and may appoint executive and other committees from its own body and delegate to them such of its powers as it may deem advisable.

3. That the said corporation hereby created is authorized and empowered to accept and hold all the property, both real and personal, devised and bequeathed to the trustees named in the said will, and through them to it, in anticipation of this act of incorporation, by the will of said Indiana Fletcher Williams, as set forth in the two clauses thereof hereinbefore quoted. And it is further authorized to accept and hold the same, subject to the powers and duties conferred and prescribed by this charter, and subject especially to the terms, conditions and restrictions specially set forth in said will and for the purposes therein prescribed.

4. That the said Sweet Briar Institute shall have power, and it is hereby made its duty, to establish with suitable dispatch and maintain and carry on upon the plantation named in said will, in the county of Amherst, a school or seminary to be known as the "Sweet Briar Institute," for the education of white girls and young women.

The general scope and object of the school shall be to impart to its students such education in sound learning, and such physical, moral and religious training, as shall, in the judgment of the directors, best fit them to be useful members of society. The board of directors shall have power to establish free scholarships,

affording tuition and maintenance for a limited number of deserving students, which scholarships shall be awarded under such rules and regulations as the board of directors may prescribe.

5. That the Circuit Court of Amherst County, or the Judge thereof in vacation, in any proper suit, or upon petition filed in term, or before the Judge in vacation, after reasonable notice, may, when the personal representative of the said Indiana Fletcher Williams shall pay money or turn over securities to this corporation belonging to it, under the bequest made by the said Indiana Fletcher Williams, order that no refunding bond shall be required of the said corporation for the sums so paid or the securities so turned over, and its receipt shall acquit the said personal representative of all liability for such payment or turning over, but such paying or turning over shall not relieve the fund or securities so paid, or turned over, from liability for any legal obligation to which it would have been subject in the hands of the said personal representative.

6. This act shall take effect from its passage.

This section shall not affect the general law of the state as to the settlement of fiduciary accounts, except to dispense with the refunding bond as indicated above, and the executor shall be entitled to the same rights, immunities, privileges, interests and emoluments given him by law before the grant of this charter. Nothing in this act shall be construed as requiring or authorizing a court to require the executor to pay any money or turn over any property sooner than he is required to do by the general law in force at the time of his qualification as such executor.

6. The auditor of public accounts for and on behalf of the state of Virginia, and the Board of Supervisors of Amherst County, or any sub-division thereof, are hereby authorized and empowered to compromise, adjust and settle any and all claims or demands of said state, county, or sub-division of said county, against the estate of the said Indiana Fletcher Williams, or any estate in which she was interested. And the trustees named in the will of said Indiana Fletcher Williams or the board of directors herein mentioned and her personal representative are authorized and empowered to compromise, adjust, and settle any and all debts, claims or demands affecting said estate, or any estate in which she was interested so far as it affects her estate, provided, that any such compromise, adjustment, and settlement shall be approved by the Circuit Court of Amherst County or the judge thereof in vacation.

REASONS FOR GRANTING

The Charter of the Sweet Briar Institute,

OF AMHERST COUNTY, VIRGINIA,

NOW PENDING BEFORE THE LEGISLATURE.

Mrs. Indiana F. Williams, by her will, gave a large property, real and personal, amounting to nearly three-quarters of a million of dollars, to four trustees, for the purpose of establishing upon her Sweet Briar plantation, in the county of Amherst, in the State of Virginia, a school or seminary, to be known as the Sweet Briar Institute, "for the education of white girls and young women." She further provided that it should be "the general scope and object of the school to impart to its students such education in sound learning and such physical, moral, and religious training as shall best fit them to be useful members of society."

By her will, she also prescribed that this institution should establish free scholarships for the maintenance and education of such deserving students as under its rules and regulations might be designated.

That the scheme might be fully carried out, she directed that the trustees named in her will, immediately after her death, should procure a charter in the state of Virginia, for a corporation to be known as the "Sweet Briar Institute," the affairs of which were to be managed by a board of seven directors, who were to be named by the trustees. This is the charter now asked by said trustees, at the hands of the Legislature.

The terms of said charter are very simple. It merely creates a corporation, specifying its aims and purposes, in the language of Mrs. Williams's will as set forth above, and authorizing it to accept her bequest and devise for those purposes, subject to the terms and conditions set forth therein.

Those terms and conditions in the will are also very simple, and injure no one. They are:

First, that the graveyard in which her father, mother, brother, sister and child are buried, shall be perpetually kept in good order, and secondly, that a certain quantity of the land, some two thousand acres in all, shall never be sold.

This is all that is asked from the Legislature. Nothing is asked but that a gift for educational purposes, far greater than any ever made in Virginia, shall be duly accepted by this institution, to enable it to maintain and carry on a school or seminary for the education of white girls and young women, that they may be fitted to become "useful members of society." Surely there can be no harm in such a grant of power by the Legislature. No argument can be used against it which would not apply with equal force to every educational institution in the land.

This is not a denominational school, or a church school. Three of the trustees named are clergymen of the Episcopal Church in Virginia, and the other trustee is her executor, and is not a member of any church. Nowhere in the will is it suggested that the institution is to be under the control of the Episcopal, or any other, church, nor is such a control contemplated. The trustees named will be out of office so soon as this corporation is created, and they have made the deed of conveyance of the property bequeathed and devised to them, as provided by the will. Thereafter, the school will be under the control of a board of seven directors, and it will be purely an educational institution, with a very broad scope and influence for good in that direction. It will be better endowed than any female school in the South, and will have revenues greater than any school, college or university in the State.

It is indeed an institution of which the State may well be proud, and the donation made to it by Mrs. Williams is the first of any large amount yet granted an educational institution in Virginia. The mere fact that it was made has induced another rich person to look into the proposed scheme with the possible purpose of increasing the endowment by a very large sum, and that person is now awaiting the action of the State of Virginia upon this charter. It is to be hoped that the example thus set may be often followed and that many other educational and benevolent institutions in the

State may be the beneficiaries of like charitable bequests and devises.

This is an accurate statement of the facts of the case, and with these facts undisputed, the trustees have applied to the Legislature for a charter with the provisions set forth above.

This school, when established, will be of infinite advantage to the whole State, but no part of the State will reap the same advantage as that which it will accord to the county of Amherst. The will provides for the construction of suitable buildings for such an institution. This at once involves a large expenditure in the midst of the county, which is surely a present advantage. When the school is in successful operation, its great resources will make it a college of vast proportions which will enrich the county, not only by bringing high education and cultivation to the doors of the people, but by furnishing a home market for every product of the agriculturist. The expenditures requisite for the support of so large a number of people as it will attract, will itself be a great source of wealth to the county.

Nor is this all. A great institution such as this, in addition to its refining and elevating influences, upon the community in which situated, will gather around it a population of high grade, both in wealth and intelligence, who will seek its neighborhood for the purpose of educating their children and for the social advantages incident thereto. The beneficial effect of such influences are far reaching, and will in the course of a very few years place the county in the front rank in all the elements which make a locality desirable as the resort of wealth and refinement. Such a result in its elevating effect upon any community is much to be desired, but along with it, there is a growth in the physical wealth of the community itself greatly to its advantage.

That such results may be anticipated will be made plain to any one who will observe the effect of like institutions upon other communities. Many cities and towns would give large sums of money if the advantages of this Institute under its proposed charter could be transferred to their territory.

Every statement made above is unquestionably true, and, there-

fore, the trustees anticipated no objection to the grant of the charter proposed and which is so necessary to the success of the institution. They were, therefore, naturally much surprised when their counsel went to Richmond in their behalf to lay the charter before the Legislature for adoption to find that there was some objection made to it by several of the officials of the county which was to reap the greatest benefit from the charity they were endeavoring to organize. We are constrained to believe that this suicidal indifference, to say the least of it, is the result of ignorance of the real merits of the question involved, and of the vast interests to the people of the county of Amherst which are at stake. The grounds of objection which we learn are suggested are:

First. That the land which, under the will, passes to this institute will be exempted from taxation. The charter grants no such exemption. It is made in the general laws of the State, and has been extended to every educational, benevolent, or charitable institution in the Commonwealth by a policy which has now become fixed and is almost a part of the organic law of our people. Surely the people of Amherst, who are to receive this vast gift, would not saddle it with a burden placed on no other institution within the limits of Virginia. It would be very invidious, by a clause in this charter, to deny to this school the benefits of the general exemption accorded to all others.

This objection cannot apply to the charter, for it is silent upon the subject. It must apply, therefore, to the school itself. Can it be that any intelligent citizen of Amherst would reject so grand a gift because, perhaps, the county taxes may be diminished by a sum certainly not exceeding $200 per annum? We cannot believe it. But really there will be no loss in taxation. The increase in the taxable values in the county directly incident to the establishment of this school will be so great that the revenues by taxation will really be increased. This is a palpable fact which need not be further argued.

Second. That there are certain back taxes due by the estate which accrued, or should have accrued, during the life of the testatrix. Of this we know nothing, but, if such taxes are due,

they are debts against the estate, and can in nowise be affected by the charter. That the nervous dread of those who, from ignorance or other causes, urge this objection may be put at rest, we propose to have inserted in the charter a clause providing that it shall in nowise be construed as debarring the state of Virginia or the county of Amherst from collecting such taxes, and providing further, a mode by which both the state and the county may, if necessary, submit the question of their payment by the estate to the arbitrament of the courts of law.

We have spoken thus far only of the value of this school to the county of Amherst, because no suspicion of opposition to it has come from any other quarter. But the magnificent grant was not to the county of Amherst. The whole State is its beneficiary; and it behooves every representative, whatever his constituency, to see that it is not only accepted, but that everything is done which the Legislature can do to give efficacy to the charity and to develop its handsome proportions. To that end it is we appeal to the Legislature, and ask that this charter be granted.

Certain collateral heirs of the testatrix, whom she had never recognized as such, and whom she deemed it proper to exclude from her testamentary bounty, as she had an unquestioned right to do, are endeavoring to defeat the charter, because they are advised that it may militate against certain legal constructions which they place upon the terms of the will, and which they hold may vitiate its provisions. They claim that the requirement that the grave of the testatrix, her father, and her only child shall ever be kept green is repugnant, and should render the grant void. So, too, they hold a like result follows the provision that land which constitutes the original homestead of her family shall not be alienated has the same effect.

The testatrix was a woman of strong mind, and in making the provision for this school and attaching these very harmless conditions was carrying out a long and carefully considered scheme for the bestowal of her estate. Why she did not give her next of kin anything is a matter with which the outside public have nothing to do. She had reasons which need not be recited; they

were potent with her, and she had a right to do with her own as she thought proper.

We need not comment on the points by virtue of which it is hoped to set this charity aside. We do not concur in the conclusions of law asserted by the counsel for the next of kin, but surely the conditions which they claim are so repugnant as to make the charity void, are not of a character to excite the sympathy either of the Legislature or of any one having the welfare of the public at heart. On the contrary it becomes the more incumbent on the Legislature to do all in its power to remove such trivial obstacles from the development of so great a public good.

For these reasons the Trustees, in compliance with the duty imposed upon them by the will of Mrs. Williams, now ask that this institution may be incorporated by the Legislature at its present session.

THE TRUSTEES,

By BLACKFORD, HORSLEY & BLACKFORD,
and
C. L. SCOTT,
Their Counsel.

January 30, 1901.

Sweet Briar Institute

Sweet Briar Institute

Sweet Briar Institute

History.—In November, 1900, Mrs. Indiana Fletcher Williams, of Amherst county, Va., died, leaving the bulk of her estate—a sum amounting to nearly $800,000—for the purpose of founding, within the State, a school or college for the education of young women. The general plan and design of the founder, and the liberal terms on which her bequest was made, may be gathered from the following extracts from her will, probated November 23, 1900:

"13th. I bequeath the residue of my estate, whatsoever and wheresoever it may be situated, unto the Right Reverend A. M. Randolph (who is the Bishop of the Southern Diocese of Virginia), the Reverend T. M. Carson, of Lynchburg, Va.; Stephen R. Harding, of Amherst county, Va., and the Reverend Arthur P. Gray, of Amherst, Va., and the survivors or survivor of them, as trustees, upon the trust and with the powers and duties hereinafter specified—that is to say:

"1. I direct the said trustees forthwith after my decease to procure the incorporation in the State of Virginia of a corporation to be called the 'Sweet Briar In-

stitute,' such corporation to be created by due process of law, either under the general laws relating to the formation of corporations, or by a special charter to be obtained from the Legislature of Virginia. The said corporation shall be formed for the object and with the power of establishing and maintaining within the State of Virginia a school or seminary for the education of white girls and young women, and shall be clothed with capacity to take by deed or will, by gift or purchase, and to hold real estate and personal property. Its affairs shall be managed by a board of seven (7) directors, who shall have the power to fill vacancies in their number, and the first Board of Directors shall be named and appointed by the trustees herein-above named.

"2. Immediately upon the formation and organization of such corporation the said trustees shall grant and convey, and I hereby give and devise the said real estate and personal property last above described to the said corporation, to have and to hold the same unto it and its successors forever, upon the conditions and upon the purposes hereinafter declared, which it shall accept and assume, namely: The said corporation shall, with suitable dispatch, establish and shall maintain and carry on upon the said plantation a school or seminary, to be

known as 'Sweet Briar Institute,' for the education of white girls and young women. It shall be the general scope and object of the school to impart to its students such education in sound learning, and such physical, moral and religious training as shall, in the judgment of the directors, best fit them to be useful members of society.

"I desire that the school shall be made self-supporting, so far as practicable, but it is my hope that the board of directors may be able, from the income placed at their disposal, to establish free scholarships, affording free tuition and maintenance for a limited number of deserving students, which scholarships shall be awarded under such rules and regulations as the board may provide."

The same section further provides that the Sweet Briar and the St. Angelo lands, over twenty-five hundred acres in all, shall be inalterably held for the purposes of the school.

In accordance with the provisions of the will, the trustees obtained a charter from the General Assembly early in 1901 and incorporated into it the section quoted above. Immediately after the granting of the charter they proceeded to organize the Board of Direc-

tors, electing the following members: The Right Reverend A. M. Randolph, the Reverend T. M. Carson, the Reverend Arthur P. Gray, Stephen R. Harding, the Reverend Carl E. Grammer, Dr. J. M. McBryde, Judge Legh R. Watts.

POLICY.—At their first meeting, held in March, 1901, for the purpose of organization, the Board of Directors adopted the following paper, briefly, but clearly, outlining the future policy of the school:

"Untrammeled by State or denominational control, or by the testamentary directions of a will, and, therefore, relieved of the necessity of bidding for popular favor through the employment of adventitious or temporary expedients, it is the declared wish and purpose of its Board of Directors to give such shape and scope to the Sweet Briar Institute as will make it a worthy monument to the liberality of its founder and the first among the establishments for female education in the State and the South. Believing that it would be unwise for the new institution to enter upon fields of educational activity already fully occupied, or to come into unnecessary competition with existing seminaries of learning, it is our desire to have it take possession of a territory hitherto overlooked and neglected. In the

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North the demand for collegiate instruction for women, fully equal in character and grade to that offered the men by such institutions as Harvard, Princeton, Columbia and Yale, has resulted in the foundation of Vassar, Wellesley, Smith and Bryn Mawr. In the West and the South the demand for the better equipment of women for the practical vocations of life has led to the establishment of several excellent normal and industrial schools exclusively for girls. But nowhere, to our knowledge, has the attempt been made harmoniously to combine in one institution the best features of these two classes of schools. Holding that such combination is neither impossible nor impracticable, but rather that industrial training can be made, if only a safe equilibrium be provided for, to supplement, strengthen and enrich the intellectual, it is our resolve that the Sweet Briar Institute shall attempt this new line of educational effort. Standing for a policy and work distinctively and peculiarly its own, it will offer to the young women of the South carefully-formulated courses of study leading to degrees, of high grade and proper adaptation to the needs and capabilities of the female mind—some literary and some scientific—and along with them thoroughly practical training in cer-

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tain artistic and industrial branches of knowledge—the two lines of work so arranged and co-ordinated that the choice of any one of the four years' courses will carry with it the election of a given number of the practical branches. These courses, of necessity few in number at first, will be added to as the growth and development of the institution may call for them, and experience dictate their character and scope. The specification and formulation of these courses must await the future action of the board, when it can have the assistance and advice of the president and faculty to be elected later on."

Board of Directors.—With its self-perpetuating board, a feature rare even among our best colleges and universities, the school is relieved from all danger of political influence, and the directors are free to shape their own policy and work. The present members of the board are able and representative men, well known in the State and in the South.

Its president, Right Reverend A. M. Randolph, D. D., LL. D., is the Bishop of the Diocese of Southern Virginia. Rev. C. E. Grammer, D. D., is rector of Christ Church, Norfolk, Va., and was for several years a professor in the Virginia Theological Seminary. Rev.

A. P. Gray is rector of Ascension Church at Amherst, Virginia, and was formerly Superintendent of Schools for Prince William county, Va. J. M. McBryde, Ph. D., LL. D., is president of the Virginia Polytechnic Institute, at Blacksburg, Va., and was, at the time of his acceptance of his present position, president of the University of South Carolina. L. R. Watts, Esq., is general counsel to the Seaboard Air Line Railway, and was at one time judge of the Corporation Court of Portsmouth, Va. N. C. Manson, Jr., Esq., is a member of the Lynchburg bar and City Attorney. He is also vice-president of the National Exchange Bank of Lynchburg.

GOVERNMENT.—As the founder was an Episcopalian herself, it was not unnatural that she should have chosen the trustees from that denomination, but she made no conditions in her will as to the religious policy of the institution. The directors themselves intend to place the school upon a broad and liberal basis, and have already given evidence of their unbiased views by selecting Mr. N. C. Manson, a Presbyterian, to fill the first vacancy in their number—caused by the death of Dr. Carson—and by the selection of non-Episcopalians as farm superintendent and as secretary and treasurer.

Both in its policy and in its governing board, the institution will thus be non-sectarian and non-denominational.

Buildings.—A harmonious and attractive scheme of buildings and of grounds (as may be seen from drawings and photographs) has been chosen. The plans were designed by one of the most brilliant firms of American architects, whose designs, submitted lately, in competition with the best architects in the Union, have been accepted for the improvements to be made at West Point, involving millions of dollars. The style is early colonial, and the buildings are to be of red brick with white trimmings. There will be two quadrangles—one residential, to consist of eight dormitories, a refectory and a chapel; and one academic, containing the academic building proper, the art building, the library, science hall, industrial building and gymnasium. These buildings will be connected by lofty, handsome arcades, running round all sides of the quadrangles and opening out upon gently-sloping terraces, set off by pavilions and balustrades. Steam heat, electric light and water will be introduced into all of the buildings. In the dormitories the rooms will be arranged in suites—two bedrooms and a sitting-room—so as to secure to

each student greater quiet and privacy. Each dormitory will be provided with its own large reception-room for social gatherings, and will be supplied with hot and cold baths and furnished with every modern convenience. Sweet Briar House, the home of Mrs. Williams until her death, a large and handsome colonial mansion, containing thirty rooms, will be used as the administrative building. The spacious parlors will be reserved for public reception-rooms, and bedrooms will be set aside for the accommodation of visitors. In a beautiful grove of oaks and hickories adjacent to the academic quadrangle, separate professors' houses will be erected, and an infirmary placed at a convenient distance among the trees. The neighboring St. Angelo mansion, with its well-kept lawn, the former home of Mrs. Williams' sister, situated on a hill overlooking the institute grounds, will be converted into the president's house.

Plant.—A large and fertile farm, well stocked with cattle and in charge of an experienced superintendent, a kitchen garden, orchards, a cold storage and creamery, ice-houses and a steam laundry, will render the institute independent and self-supporting. Already the refectory, two dormitories, and an academic building, with connecting arcades, pavilions and terraces, are rapidly approaching completion.

Grounds.—The grounds surrounding the school, about three thousand acres in extent, are owned by the institution, and are under its entire control, so that there can be no danger of intrusion, no fear of crowding or encroachment from without, and no need to confine the students' walks within the narrow limits of a college campus. At least six hundred acres will be set apart for parks, lawns and recreation grounds. On all sides, within easy reach, are virgin forests of oak, hickory, poplar and pine, affording opportunity for pleasant, retired walks and for the undisturbed study of nature. Among the woods close to Sweet Briar House a charming little lake, a half-mile long, shaded with overhanging beeches and willows and indented with numerous bays, has been made, on which the students may enjoy skating in winter and boating and fishing in the spring and autumn. Wide, sloping lawns of rich blue grass lead up to the Sweet Briar House, half hidden among the spreading oaks, fir trees and high hedges of well-trimmed box. The trees, lawns and grounds surrounding the house represent a full century of constant growth and careful attention, and resemble the well-kept estate of some English country gentleman. The whole place is pervaded with an air of peacefulness, re-

tirement and refinement, with which the scheme of buildings is in perfect harmony.

Sweet Briar House.—The interior of Sweet Briar House is in keeping with the exterior—lofty halls, long corridors and spacious rooms filled with rich old mahogany furniture and rare curios gathered from every quarter of the globe. Almost every corner bears some touching memorial of Mrs. Williams' only daughter, Daisy, who died at the early age of seventeen, and in memory of whom the school was founded.

Surroundings.—With such surroundings and with such an atmosphere, there could scarcely be imagined a more fitting location for a woman's college.

Situated among the Blue Ridge Mountains, fourteen hundred feet above sea level, the school is in a healthful and invigorating climate, neither too severe in the winter nor too enervating in the spring and autumn. The mean winter temperature is 36, and in the spring and fall the mercury seldom rises above 70. From the crest of the college hill, the view is extensive and beautiful; the splendid range of the Blue Ridge stretches away in full sight for nearly a hundred miles, and the nearer wooded hills, rising above the college grounds, afford still more striking glimpses of the surrounding

country. Paul's Mountain, only a half-mile distant in a direct line, is a part of the Sweet Briar property, and on its slope, far above the highest college building, is the reservoir of pure mountain water.

Location.—The school is located on the main line of the Southern Railroad, ten miles from Lynchburg (a railway centre and one of the principal cities of the State), and only a few hours' run from Washington, with several daily through trains each way, so that it is convenient to students from every section of the Union. A fine macadam road leads through noble woods to the railway, three-quarters of a mile distant, where the college has its own station, post office, express office, telephone and telegraph communication; and an excellent highway connects the institution with Amherst, the county seat, two and a half miles away. Thus, though independent, self-supporting and sheltered from outside interference, the college can keep in close touch with the world.

Standards.—It is the purpose of the Board of Directors to make the requirements of admission and graduation high—fully equal to those at Vassar, Bryn Mawr and the other Northern colleges of first rank—and to maintain a strict standard of work and scholarship.

Courses of Instruction.—There will be undergraduate course leading to the baccalaureate degrees in literature and science, special advanced course for teachers, and graduate courses, with research work, leading to the master's and doctor's degrees. Thorough courses in music, art and in the industrial branches, with practice rooms, studios and well-equipped laboratories, will be provided, so arranged as not to supplant, but to supplement, the literary studies. The intention of the directors, as expressed in their preliminary announcement, is to combine harmoniously literary and scientific studies with "thoroughly practical training in certain artistic and industrial branches of knowledge."

Faculty.—In the choice of the faculty, the board will proceed with deliberation, and will endeavor to select teachers and instructors of recognized ability and experience.

Opening.—It is hoped that the school will be ready to open its doors by the beginning of the fall term of 1905. Though the institute will be necessarily limited at first both in the size of its faculty and in the number of its pupils, the directors intend to make the work thorough and to build upon a sure foundation.

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Advantages.—To students from the South, the college will offer a training peculiarly suited to their needs and to the social conditions in which they have been reared; and to all young women, from whatever section they may come, the institution will furnish a well-rounded college education, preparing them for teaching, fitting them for business professions and qualifying them for a more useful life in the home. With a well-equipped corps of professors and carefully-arranged courses of study, with its admirable location, its beautiful surroundings, its atmosphere of repose and refinement, Sweet Briar possesses exceptional advantages, and should fulfill the wish of the directors to make it a worthy monument to the liberality of its founder.

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